

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

**MARCUS WESS**

**PLAINTIFF**

**v.**

**CIVIL NO. 1:22-cv-00338-HSO-BWR**

**R. HOUSTON, et al.**

**DEFENDANTS**

**FINAL JUDGMENT**

In accordance with the Court's Order issued this date and incorporated herein by reference,

**IT IS, THEREFORE, ORDERED AND ADJUDGED** that, this civil action is **DISMISSED WITH PREJUDICE** for failure to state a claim under 28 U.S.C. § 1915(e)(2)(B)(ii).

**IT IS, FURTHER, ORDERED AND ADJUDGED** that, this dismissal counts as a "strike" under 28 U.S.C. § 1915(g). Plaintiff Marcus Wess is advised that, if he receives three strikes, "he may not proceed [*in forma pauperis*] in any civil action or appeal filed while he is incarcerated or detained in any facility unless he is under imminent danger of serious physical injury." *Adongo v. Tex.*, 124 F. App'x 230, 232 (5th Cir. 2005) (citing 28 U.S.C. § 1915(g)).

**SO ORDERED AND ADJUDGED**, this the 2nd day of March, 2023.

*s/ Halil Suleyman Ozerden*

HALIL SULEYMAN OZERDEN  
UNITED STATES DISTRICT JUDGE